



County of Los Angeles
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DAVID E. JANSSEN
Chief Administrative Officer

March 18, 2004

Board of Supervisors
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First District


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Second District

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Third District

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Fifth District

To: Supervisor Don Knabe, Chairman
Supervisor Gloria Molina
Supervisor Yvonne Brathwaite Burke
Supervisor Zev Yaroslavsky
Supervisor Michael D. Antonovich

From: 
David E. Janssen
Chief Administrative Officer

SACRAMENTO UPDATE

Pursuit of County Position on Legislation

AB 2082 (Ridley-Thomas), which applies only to Los Angeles County, would remove the Board of Supervisors and the Department of Public Social Services (DPSS) Director from the Personal Assistance Services Council's (PASC) governing board nomination and selection process and, instead, require the PASC governing board members to be elected by a general mail ballot election among consumers receiving In-Home Supportive Services (IHSS).

Under AB 2082, all 15 members of the governing board would have to be current or past IHSS recipients. Persons seeking election to the board must submit a nomination petition containing the names, signatures, and social security numbers of at least 1,000 eligible voters (IHSS recipients) to the League of Women Voters (League). The League would be responsible for conducting the elections, and the PASC would be required to provide funding for the election. In contrast, the current County ordinance requires the PASC governing board to consist of 15 members, at least 51 percent of which are current or past recipients of IHSS. Each Supervisor nominates two persons, one of whom must be a past or present IHSS consumer, and the DPSS Director nominates five persons, three of whom must be past or present IHSS consumers. The Board makes the final appointments to the PASC governing board.

Thus, AB 2082 would require passage of an ordinance to establish a governing board selection process that is counter to existing Board policy. By mandating that the nomination and selection procedures for the governing board be changed from the methods established by the existing ordinance, and removing the Board's final appointment powers, AB 2082 infringes upon the Board's decision-making authority.

The PASC indicates that, absent concurrent enactment of a new County ordinance with implementation of AB 2082, there would be no registry to match a provider and consumer, no wage contracts, no health plan for providers, no recruitment of providers and no access to training for consumers and providers, which could continue indefinitely until a new ordinance was enacted. In addition, the PASC indicates that AB 2082 raises confidentiality concerns by requiring social security numbers of IHSS recipients to be provided as part of the nomination process. Furthermore, the PASC indicates that AB 2082 would undermine its role in improving the IHSS program, and has therefore taken an oppose position on the measure.

County Counsel believes that AB 2082 would violate Federal confidentiality laws by requiring the County to release the names, addresses and social security numbers of IHSS consumers for purposes of conducting an election of the PASC governing board. Existing Federal law specifies the circumstances under which such information can be disclosed and used. Disclosure for election purposes is not cited as an allowable circumstance.

DPSS indicates that AB 2082 would bar the Board from legislating changes to the composition and method of selection of the public authority's governing board. Only the State Legislature would have the authority to make such changes for Los Angeles County. DPSS and the PASC recommend that the County oppose AB 2082, and we concur.

Because AB 2082 would undermine the Board's authority regarding the PASC, and alter the PASC's composition and governance, our Sacramento advocates will oppose AB 2082. Opposition to AB 2082 is consistent with existing County policy to oppose measures which infringe upon local control and the Board's decision-making authority.

AB 2082 is sponsored by SEIU Local 434B. This measure is set for hearing in the Assembly Human Services Committee on Tuesday, April 13, 2004. There is currently no registered support or opposition.

AB 2446 (Montanez) would expand the list of projects eligible for joint-use bond funding to include parks, recreational centers, cultural arts centers, technology centers, health clinics, and athletic fields. Proposition 47, a 2002 statewide school bond act, providing over \$13 billion for public education facilities, allocated \$50 million for joint-use projects, which were narrowly defined to include multipurpose rooms, gymnasiums, child care facilities, and libraries. On March 2, 2004, the voters approved Proposition 55, which provides an additional \$12.3 billion for public education facilities, with another \$50 million for joint-use projects.

AB 2446 seeks to promote cooperation and collaboration between school districts, local governments, and non-profit agencies to address public facility and service deficiencies in areas with overcrowded schools. The Department of Parks and Recreation recommends that the County support AB 2446, as it will provide new opportunities to obtain funding for park and recreation facility projects, and to improve services in underserved areas. The State Legislative Agenda, approved on December 16, 2003, includes support for funding for acquisition, development, and rehabilitation of parks and recreation facilities and open space. **Therefore, our Sacramento advocates will support AB 2446.** This measure is currently in the Assembly Committee on Education awaiting a hearing date. Thus far, there is no registered support or opposition.

We will continue to keep you advised.

DEJ:GK
MAL:JF:EW:DS:ib

c: Executive Officer, Board of Supervisors
 County Counsel
 Local 660
 All Department Heads
 Legislative Strategist
 Coalition of County Unions
 California Contract Cities Association
 Independent Cities Association
 League of California Cities
 City Managers Associations
 Buddy Program Participants